

C O N F I D E N T I A L SECTION 01 OF 02 NEW DELHI 002475

SIPDIS

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SUBJECT: DELHI EU MEMBER STATE MISSIONS TAKE ROSY VIEW OF NEPAL'S FUTURE

REF: NEW DELHI 1553 (NOTAL)

Classified By: A/PolCouns Matt Boyse. Reasons 1.4 (b, d)

11. (C) Summary: At a March 31 meeting of EU and "likeminded" countries hosted by the Danes, EU member state representatives evinced surprising optimism about the potential for a constituent assembly and constitutional changes to resolve the impasse in Nepal. We noted a clear preference for an Item 19 resolution at the CHR, with a Special Rapporteur, international monitoring, and strengthening of the National Human Rights Commission. The group also called for Bhutan to begin accepting Category 1 refugees from Nepal. End Summary.

12. (C) The Danish Embassy chaired a meeting on Nepal on March 31 to coincide with the visit to South Asia of Sus Ulbaek, Head of the Danish MFA's Asia Department, which gathered Ambassadors from Denmark, Switzerland, Sweden, the Netherlands, the European Union, and Canada (all accredited to Nepal as well), and representatives of the UK, France, Finland and Norway. Poloff attended as well.

Talk of a Constituent Assembly

13. (C) Summarizing her meetings with MEA Joint Secretary (Nepal and Bhutan) Ranjit Rae earlier that day, Ulbaek stated that the GOI position was "very close" to the Danish view of Nepal. Both countries were focused on "how to reinstate democracy," and were seeking to identify what processes would lead to that goal. She professed surprise that Rae even raised the idea of a constituent assembly, commenting that she hadn't heard this from the MEA before. (Comment: Rae told A/PolCouns late on April 1 that this idea was being debated in Kathmandu, denied that the GOI was pushing it, and stressed that it was up to the Nepalese political actors to take such a step if they wanted to. End Comment.)

14. (C) Ulbaek added that Denmark and the MEA had agreed that political parties were key to restoring democracy because they were "the most democratic forces there," and that the GOI was in the forefront of working with them because "the number 2 and number 3 in each are here in New Delhi." Working with the political parties was the only way to avoid having to back either the King or the Maoists. After Ulbaek predicted that the next Nepalese PM is likely to come out of the group in New Delhi, the Canadian Ambassador reminded participants that the parties' credibility in Nepal is very low.

Constitutional Changes

15. (C) Asserting that "no one" (sic) in Nepal trusts the King or Crown Prince Paras, Ulbaek suggested that "we're heading toward a republic" in Nepal. The international community, therefore, needs to create a constitutional process for "everyone" -- including the Maoists -- to discuss a future constitution. Several participants noted obstacles to this approach, including the loyalty of the RNA to the King, and the political parties' poor record in government in the past.

Military Assistance

16. (C) Several participants (DK, EU and NL) gently chided the USG for not explicitly suspending lethal military aid, suggesting that our "at risk" formulation gave hope to the King that a suspension could be avoided. There was further agreement that Pakistan and China were unlikely to try to replace India as the chief arms supplier to the RNA. However, the EU Ambassador warned that China will take advantage of India's estrangement "to make slow progress in Nepal." He also mentioned that the GOI had asked the EU to demarche Islamabad about supplying arms to Nepal (Reftel). UNCHR: India Abstaining on Item 9?

17. (C) Ulbaek predicted that New Delhi, although preferring an Item 19 resolution in the UNCHR, would not oppose an Item 19. All participants, including the Swiss Ambassador, agreed that an Item 19 resolution would be preferable, but that Nepal must make concrete improvements in the coming weeks to avoid Item 9 action, a message he and Ulbaek agreed to

deliver in meetings with HMGN in the next week. They floated the following components of an Item 19 resolution:

- Appointment of a Special Rapporteur;
- Acceptance of international human rights monitors in Nepal; and
- Strengthening the National Human Rights Commission.

Bhutan: At least take 200

18. (C) Reviewing the difficulties of repatriating Bhutanese refugees in Nepal, Ulbaek suggested that the "Friends of Bhutan" needed to remind the RGOB that Bhutan may be "off the hook" on verification of refugees because of instability in Nepal, but it was important for them to start by accepting the roughly 200 identified Category 1 refugees. She suggested that interlocutors could explain to HMGN that the departure of the first batch was part of a global solution and not the final action, thereby convincing Nepal to allow repatriation.

Comment

19. (C) We were surprised by the optimism that several EU member state representatives here expressed about both the capability of the political parties to fill a central governing role, and the willingness of the Maoists to permanently abandon the insurgency. The Danish diplomat appears to have misread the MFA's views on a constituent assembly. The MFA is not averse to one, but believes that the impetus must come from the Nepalese themselves.

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